

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MIGUEL MARTINEZ,

Petitioner,

19 **CIVIL** 7651 (KMK)(PED)

-against-

JUDGMENT

SUPERINTENDENT OF SING SING
CORRECTIONAL FACILITY,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated April 10, 2023, the R&R, dated November 18, 2022, is ADOPTED in its entirety. The Petition is DISMISSED. Because Petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue, see 28 U.S.C. § 2253(c)(2); *Lucidore v. N.Y. State Div. of Parole*, 209 F.3d 107, 111-12 (2d Cir. 2000), and the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the Order would not be taken in good faith; accordingly, the case is closed.

Dated: New York, New York
April 10, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk